R.Dis. File No. 434

1939

ollection No.

P 259

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22/7/47

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23/7

Mysore Residency

Pros. Serial Nos. 1 – 3 – 4

Subject.

Extension of services of Mr. J. W. Edwin, Municipal Executive Engineer

Previous References.

Confl: Ath 37/34

RO 1013/35

217/36.

Later References.

RJ 181/40 (1)

S. 97—(Green).

MFP—695 S&P—(M-1331)—17-12-38—100,000.

NOTES AND PRECIS.

RD6 **FILE No.** 434 **1939**

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH. Pros. 19 Nos.

Subject.

Extension of Services of Mr. T. W. Edwin, Municipal Executive Engineer

Notes and Orders.

~~RA434/3~~

Confl: 9.37/84
RO.1013/35
217/86.

S. 1.

MFP—1406 S&P—(M-2338)—18-3-37—200,000.

D.No.7141. S.N.(1).

* Enclosure to P.M.C. S.N.1

Please see Mr.Edwin's application* for extension of service. Under F.R.56, a non-ministerial officer cannot be granted an extension of service beyond his 55th year on the ground that he continues to be efficient. But the Local Government - in this case the Resident - can grant an extension of service on 'public grounds' which must be recorded in writing. The P.M.C. recommends that Mr.Edwin may be granted a year's extension of service "since retrocession is pending and it is not in public interest to have a change in the post of the Executive Engineer".

Under Clause (iv) of F.R.56, officers of Civil Engineering of the Public Works Department should not be granted an extension of service beyond their 55th year. Mr.Edwin is not a Civil Engineer of the Public Works Department; but he is a Civil Engineer of the Municipal Engineering Department and the Fundamental Rules have been made applicable to officers of the Municipality. ~~[illegible]~~ Mr.Murphy, who however was Mr.Edwin's predecessor in office, was/granted an extension of service under F.R.56.

x) S.N.7 Confl. F. 37-34 (H)

Please see section 19 of the Municipal Law. The question whether the Commission should be consulted before the Resident grants an extension of service to an officer appointed by the Resident but employed and paid by the Commission was discussed in connection with the grant of an extension of service to Mr.Murphy; and the decision arrived at was that the Commission should be given an opportunity of expressing their views in the matter. In the case of Mr.Murphy however, for certain reasons, the Commission was not formally consulted. A memorial

o Paras 16 -22 of notes in Confl. File 37/1934. (H)

signed

signed by 27 Municipal Commissioners asking for Mr.Murphy's services to be extended was considered a satisfactory way of dealing with the question. His case was however exceptional.

In the present case, it does not appear that the P.M.C. has consulted the Commission before recommending an extension. If approved, P.M.C. may be asked to ascertain the views of the Commission in the matter.

For orders.

17.vii.39

Secy. 5

P.M.C. May see file U/o

19/7/39.

Resident -

~~The officers of the Commission who are~~

H.H.Carleston, Esqr., I.C.S., P.M.C.
U.O.No.7141-39, dated 20th July 1939.

The officers of the Commission who are appointed by the Resident intensely dislike the idea of going before the Commission for a recommendation for extension of service. They think it will affect their independence of action and reduce their positions to the level of those of officers appointed directly by the Commission, for whose appointments there is always considerable canvassing. There is not likely to be much difficulty in securing the approval of the Commission to the retention of the present E.E., but a precedent will be created which may make the position

of the Secretary and Health Officer, rather awkward. The former is ~~Both are~~ due to retire shortly. The Secretary's work makes him the more unpopular the more efficient he is, as he has to collect taxes - from Municipal Commissioners amongst others. The present Secretary for instance is an officer whom I should be very sorry to lose, though some Commissioners (the Congress ones in particular) would be glad, for their own benefit, to see the last of him.))

I would submit, therefore, that, if it is at all possible to avoid a reference to the Commission in the present case, it would be advisable to do so. Though the Commission would make it a matter of personnel, the reference would really be purely on the financial aspect, as this is the only point on which the Commission is entitled to be consulted. In this case the scale (Rs500/- - 25 - 625/-) has been sanctioned by the Commission. Mr Edwin will not draw the maximum pay even for another three years (his present pay is Rs550/-). His pay up to the end of the current financial year has been provided for in the budget, which has received the approval of the Commission. If the Commission really disliked the retention of a particular officer, it could propose reduction of his pay in the budget - in an extreme case to the pay on which a new man could be recruited, and if the Resident approved (which he need not do unless good reasons were advanced, since he need only consult the Commission in fixing the pay) it would remain for the officer concerned to choose whether he would remain or not on the new terms. When an officer is given an extension he could be confidentially informed (when the order is communicated to him) that his rate of pay will be subject to budget provision

I request that the above circumstances and suggestions may be considered. If a reference to

the Commission is still considered necessary, I will place the matter before it next month, as, in any case, it is not possible this month.

H.H. Carleton
22.7.39

W.P. S.R.

9

Agreed that there is no need to consult the Commission on this matter, since the appointment is the President's. At the same time, even if we don't regard F.R. 56 (1) as applicable (which we might easily do), an Officer's service is not extended save on public grounds. I cannot really see how retirement affects the question. It is true that if the proposals go through as they now stand, there will be considerable considerable building of Police Stations, a Treasury etc., for which Mr. Edwin has prepared the plans & specifications: but presumably his successor would be competent. Anyway, could Office note briefly what extra expense the proposal means to the Government?

[illegible]
24/7/39.

11

Collector, to whom I telephoned, says that the strongest reasons that there is difficulty in getting a qualified Successor in time we might extend for sufficient period to enable them to look round for a successor meanwhile please show the extra expense if any, to the Commission in a 1 year's extension

H Ruthven

24/7/39

10

The existing scale of pay of the appointment is Rs.500-25-625 plus a civil works allowance of Rs.100/- and a motor car allowance of Rs.75/- per mensem. Assuming that a new man will be given the minimum pay of the present scale and the allowances attached to the post, the extra expenditure to the Commission on account of the retention of Mr.Edwin for a year from 28-9-1939 will be about Rs.800/-* by way of pay and leave salary. The Commission will also have to pay Mr.Edwin a higher pension if he is granted an extension of service. The increase in pension cannot be worked out without reference to Mr.Edwin's Service Book. For orders whether it may be obtained un-officially from the P.M.C. and the difference in cost worked out.

Extra pay. 731
Extra leave salary. 67
798
or Rs. 800/-.

2H-VII.39

Secy.

12

Yes please. His pension (if he retires now) will also be deductible from the actual cost extra cost to Govt. in this year, since it will not be payable if his time is extended H Ruthven 26/7/39

CONFIDENTIAL.

Resident's Office,
Bangalore, 25th July 1939.

U. O. Note.

Extension of the services of Mr.J.W.Edwin,
Municipal Executive Engineer.
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The Service Register of Mr.Edwin is required for reference in connection with the above question, and Secretary has agreed that it may be obtained un-officially from the P.M.C. He may be requested to sent it at an early date.

25.vii.'39

25/7/39

H.H.Carleston, Esqr., I.C.S., P.M.C.
U.O.No.7141-39, dated the 25th July 1939.

The register is sent herewith.

H.H. Carleston
26.7.39

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
Diary No. 7703
File No. RD 434/39

15

If Mr.Edwin retires on 28-9-1939 when he attains his 55th year, he will be entitled to a pension of Rs.196/5 p.m. If he is given one year's extension, his pension will be Rs.233/2, an increase of Rs.36/13 p.m. Commuted value of this increase is Rs.4,647/-. As Mr.Edwin was however recently refused leave on average pay for four months, his normal date of retirement will be postponed by four months. On this basis, his pension will be Rs.207/3 if he is not given an extension and Rs.236/3 if he is given one year's extension. The increase in pension in this case will be Rs.29/- p.m. Commuted value Rs.3,661/-.

The total extra expenditure involved in one year's extension will therefore be Rs.4,461/- as follows:-

Pay (vide para 11 ante).	Rs. 800
Pension (vide para 15 above)	Rs.3,661
	Rs.4,461

The saving in pension payable to Mr.Edwin by reason of a year's extension to him will be Rs.2,484 (@ Rs.207 p.m.). The ~~next~~ net extra cost to the Commission will therefore be Rs.4,461 minus Rs.2,484, that is Rs.1,976 or Rs.2,000/- in round figure.

26.VII.39

(From para 9)

Secy.

17

many thanks. The position is now clear, & the amount involved (over a fairly long period) is not large. I think that Mr. Edwin might be given an extension for so long as is necessary to enable the Commission to find a suitable successor. The only other reason for giving an extension is if his successor can't build the new Treasury & Police

(Probably 6 months?)

buildings required for ultoronian purposes: but I presume that he will be able to do this if he is qualified to be Executive Engineer of the Commission. Will PTC please see me again + give his final recommendation in the light of these note?

[signature]

30/7/39.

PTC o/o

18

My main reason, of course, for wishing to retain the services of Mr Edwin is that it will be very difficult to find a suitable successor - for the pay offered. The work is peculiar and much of it consists in the examination of building applications, o f which there are legion. Local knowledge is essential. The Engineer is also a Commissioner and is ~~President~~ Chairman of the Building Sub Committee. Hence we require other things besides mere engineering knowledge. We must look round very carefully for a new man. If we find one and , as will probably be the case, he is employed elsewhere, he will have to give adequate notice to his present employers. Then after he jdins duty here he will have to spend some months getting in touch with the work and local conditions. It is hardly desirable to have this going on just at the time when retrocession may be taking place. I may also say that a big housing scheme (on Borebank Road) for which Mr Edwin has drawn

up the plans has just been commenced. Extension of underground drainage is always going on and a sewage disposal scheme is in prospect: also the construction of a sanatorium. The new man must, of course, be capable of carrying out these works, but he will hardly be able to give them the attention they should have if he is busy learning his routine work and gathering his local knowledge. Mr Edwin came to the job with nearly 20 years local experience, including some acting experience in the job itself. Mr Edwin is still very active and comparatively young (being younger than the present Assistant Engineer, who was a retired man appointed at the age of 55). It seems a pity to lose his experience - especially at a time like this and when we have no suitable successor in view. We might not succeed in getting one in six months and then Mr Edwin's time would have to be further extended: and such piecemeal extensions would be rather undesirable from all points of view. I would therefore request that an extension may be given for one year.

A

H.H. Carlisle
8.8.39.

(1). Extension may be given for 1 year

(2). PHC may be asked to make a brief statement to the Comm. of his reasons for recommending the extension

(3). After 6 months we may consider the position again

H Rowlyn
8/8/39.

Resident: Vagrancy
V998.

24

Paragraph 19 (1) ante.

Draft (I) submitted.

Paragraph 19 (2) and (3) ante.

Draft (II) submitted.

K.L.L. 9.8.39

9.8.39

H. Rudge 9/8/39.

S. N. (2) and (3) issue

Service Register of Mr Edwin returned to P.M.C. u/o. on 24.8.39.

Cp. 5 P.V.e

D.No.9761 S.N.4

22

May be filed.

m.p. 21-9-39

22-9.

K.L.L. 21.9.39

Record m.p. 13/3/40

5—3.000—12—5—39

No. 3530/39
Encl. 1

CIVIL & MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.
Dated 11th July 19 39.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the
Resident in Mysore,
BANGALORE.

Sir,

Subject:- Extension of Mr. J.W. Edwin's term of Office.

- - - -:o:- - - -

I have the honour to forward herewith a copy of an application dated 6th July 1939 from Mr. J.W. Edwin, Executive Engineer of this Municipality for an extension of service for 2 years from the 28th September 1939 - the date on which he will attain the age of 55 years.

Since retrocession is pending it is not in public interest to have a change in the post of the Executive Engineer. I therefore recommend that he may be granted a year's extension of service with effect from the 28th September 1939 under Rule 56(a) of the Fundamental Rules.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
12 JUL. 1939
Diary No. 7141
File No.

I have the honour to be,
Sir,
Your most obedient servant,

H.H. Carleston

PRESIDENT, M. C.

M.AAR.,
11-7-39.

(2

PRESIDENT.

I will attain the age of 55 on the 28th September 1939. As I am able to carry on my work for some time more, I request that I may be given an extension of service for - 2 years.

(Sd). J.W. Edwin,
6/7/39,
EXECUTIVE ENGINEER.

(C o p y)

M.AAR.

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

Draft I

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

No. 434-39 Dated 11th Aug 1939

G & A.

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

To be issued on

Issued on 5.8.39

1st Reminder

2nd Reminder

3rd Reminder

Heading :

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

Read:- Letter from the President, Municipal Commission, No. 3530/39, dated the 11th July 1939.

Order.

Under Fundamental Rule 56 (a), the Hon'ble the Resident is pleased to sanction, on public grounds, the retention of the services of Mr.J.W. Edwin, Municipal Executive Engineer, C & M Station, Bangalore, for one year from the 28th September 1939.

Secy. to the Resdt.

To

The President, Municipal Commission, C & M Station, Bangalore.

9.8.39

Two drafts

14

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / R.D. Telegram

No. 434-39 Dated 11th Aug. 1939

G & A.

Class for telegrams

Ordinary / Express / Urgent* / Priority / Clear Line†

*Only for Foreign Telegrams.

†Not for Foreign Telegrams.

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

To

The President,
Municipal Commission,
C & M Station, Bangalore.

Extension of Mr. J.W. Edwin's term of office.

Sir,

I am directed to refer to your letter No.3530/39, dated the 11th July 1939.

2. The Resident has agreed to the retention of the services of Mr.Edwin for one year from 28th September 1939 and orders are being issued separatel

3. You are requested to make a brief statement to the Commission of your reasons for recommending the extension.

4. After about 6 months, you are requested to send a report regarding the selection of a successor to Mr. Edwin, to enable the Resident to consider the position again.

I have, etc.,

Secy. to the Resdt.

S. 5.

MGIPC—S1—153(Gen1)MFP—(M-1983)—3-5-34—50,000 Pads.

5

The Bangalore Rate Payers' Association.

(Founded 1912, Regd. 1925, Under Act VII of 1913.)

24, Central Street, Cleveland Town.

No. F./27.

Bangalore 14th September 1939.

The Secretary to the Hon'ble
The Resident in Mysore,
BANGALORE.

Sir,

In pursuance of a resolution, passed at the ordinary monthly meeting of the Assbciation held on the 9th instant, I have the honour to convey to you the thanks of the Association for having kindly extended the services of Mr.J.W.Edwin, the executive Engineer of the station by one year.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
20 SEP 1939
Diary No. 9761
File No. 9043/39

I have the honour to be,

Sir,

Your most obedient servant,

PRESIDENT.